

# House Bill 3101

Sponsored by Representative GELSER; Representatives FREDERICK, OLSON, SPRENGER

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs all students who are eligible to participate in certain mental health screenings or assessments to participate unless student or parent or legal guardian of student requests in writing that student not participate.

Takes effect on July 1, 2014.

## A BILL FOR AN ACT

1 Relating to mental health of students; and prescribing an effective date.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. (1) As used in this section, "mental health screening or assessment" means**  
4 **a mental health screening or assessment that a school district causes to be conducted:**

5 **(a) As part of the school district's health services program; or**

6 **(b) In any of the schools of the school district for one or more grades.**

7 **(2) When a school district causes a mental health screening or assessment to be con-**  
8 **ducted, all students who are eligible to participate in the screening or assessment shall par-**  
9 **ticipate unless a student or the parent or legal guardian of a student requests in writing that**  
10 **the student not participate.**

11 **(3) A school district shall provide written notice to students and to the parents and legal**  
12 **guardians of students a reasonable time prior to causing a mental health screening or as-**  
13 **essment to be conducted. The notice shall:**

14 **(a) Explain that students, parents and legal guardians have the right to request in writ-**  
15 **ing that a student not participate in the screening or assessment; and**

16 **(b) Meet any other requirements established by the State Board of Education by rule.**

17 **(4) Nothing in this section alters the rights of a child with a disability who is eligible for**  
18 **special education or the rights of a child who may have a disability, as those rights are**  
19 **provided in ORS chapter 343. Any evaluations conducted for the purpose of evaluation, ree-**  
20 **valuation or placement for special education must meet the consent requirements of ORS**  
21 **343.164.**

22 **SECTION 2. Section 1 of this 2013 Act first applies to the 2014-2015 school year.**

23 **SECTION 3. This 2013 Act takes effect on July 1, 2014.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.